

PATENT COOPERATION TREATY

PCT

10/527126



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference CA020071	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/04244	International filing date (day/month/year) 01.10.2003	Priority date (day/month/year) 04.10.2002
International Patent Classification (IPC) or both national classification and IPC G06F17/30		
Applicant INTERNATIONAL BUSINESS MACHINES CORPORATION et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 24.10.2003	Date of completion of this report 19.08.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Herry, T Telephone No. +49 89 2399-7406 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/GB 03/04244

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-39 as originally filed

Claims, Numbers

1-16 as originally filed

Drawings, Sheets

1/21-21/21 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-16: no
Inventive step (IS)	Yes: Claims	
	No: Claims	1-16: no
Industrial applicability (IA)	Yes: Claims	1-16: yes
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB 03/04244

Preliminary remark

Claims 1, 3, 4, 8, 9, 10, 14, 15 and 16, drafted as separate independent claims, do not meet the requirements of Art.6 PCT with respect to conciseness. The reasons being as follows:

- (i) these claims appear to relate to the same subject-matter and should have been accordingly defined in terms of a single independent claim per category (Art.6 PCT, Rule 6.1(a) and the PCT Guidelines, C-III, 5: "undue repetition of wording, e.g. between one claim and another, should be avoided by the use of the dependent form");
- (ii) it seems that the number of claims is not justified by the nature of the invention (Rule 6.1a)); lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

The aforementioned claims as a whole therefore lack conciseness.

Item V

Reference is made to the following documents:

- D1: 'IBM WebSphere Portal Server. Product architecture V2.1' [Online] 19 November 2001, Retrieved from the Internet on 2004-01-26: <URL: http://e.bis.business.utah.edu/resources/wps_project.htm>; XP002268018;
- D2: 'Entrust Secure Web Portal Solution for Microsoft Windows NT on Intel Architecture' INTEL WHITE PAPER, May 2001, pages 1-31, XP002199131;
- D3: WO 01 33392 A (GRAY ANDREW ;ALLEN JULIAN (US); NATH SANJIVA (US); RUTSKY KEN (US)) 10 May 2001.

- 1. **Independent claim 1** does not meet the requirements of Art.33(2) PCT for the following reasons: the document **D1** is regarded as being the closest prior art to the subject-matter of claim 1; it introduces the IBM WebSphere Portal Server and discloses all the features of claim 1:
 - (i) a portal server ... to provide access to said web application: see e.g. pages 5, 6 and 11;

- (ii) a portlet application, for managing the collection of associated portlets, for operating on said portal server: see e.g. pages 10 and 11;
 - (iii) access means to access a rules database adapted to store rules: see the "rules engine" disclosed on p.13: ".. the user bean class of the portal server is already enabled for use in WebSphere Personalisation Rules..";
 - (iv) said rules comprising rules controlling display of sets of portlets, pages, page groups to users: see e.g. p.13: ".. a rule might display special discounts to gold customers, but only during the summer months.."
 - (v) selection means to select a set of portlets, pages, and page groups ... based on information provided by said user: see pages 22-26, e.g. "...the user's list of portlets..." on p.23.
2. The documents **D2** and **D3**, both dealing with a "role- and rule-based access control in a portal environment, each of them taken alone, also destroy the novelty of **claim 1**. See, in particular, in **D2** pages 3-8; and in **D3** - the abstract and the figures.
3. **Independent claims 3, 4, 8, 9, 10, 14, 15 and 16** are based on claim 1 and do not meet the requirements of Art.33(2) PCT for the same reasons as stated in the above points of this opinion. With respect to "user roles"/"roles database" - refer to D1, p.23: "..group membership information.." as well as to "...store additional user data in a relational database tables", as well as to p.25-26: "The user bean class also gives access to group information...", or "...The access control interface of the portal integrates with the user and group beans to find out which portlets a user is authorized to use... use this information to filter the list of portlets that are displayed".
4. **The dependent claims** do not seem to contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, the reasons being as follows: these features are either known to a person skilled in the art and already anticipated by the cited prior art documents D1 to D3 (refer to the passages cited in the above points and to those of the International Search Report), or represent only a normal design procedure for a person skilled in the art. With respect to claims 2, 7 and 13 - refer e.g. to **D2**, p.7, l.5-11.

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Final remarks

The applicant should have filed new claims in terms of a **single independent claim per Category**, which take account of the above comments, which are drafted in the **two-part form** (Rule 6.3(b) PCT), are provided with **reference signs** (Rule 6.2(b) PCT), and comprise the same or corresponding "**special technical features**" (Rule 13 PCT).

The documents **D1 to D3** should have been identified in the description and briefly discussed (Rule 5.1.a)ii) PCT).